

ALLEGED VIOLATION: Between 8-20-58 and 9-30-58, the defendant caused a quantity of flour, while held for sale after shipment in interstate commerce, to be held in a building that was accessible to insects, rodents, and birds and to be exposed to contamination by insects, rodents, and birds which act resulted in the article being adulterated.

CHARGE: 402(a)(3)—contained rodent urine; and 402(a)(4)—held under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 1-11-60. \$100 fine.

26308. Flour. (F.D.C. No. 43625. S. No. 73-005 P.)

QUANTITY: 229 100-lb bags at Elizabeth, N.J.

SHIPPED: 8-20-59, from Buffalo, N.Y.

LIBELED: 11-6-59, Dist. N.J.

CHARGE: 402(a)(3)—contained insects and insect parts while held for sale.

DISPOSITION: 1-20-60. Default—destruction.

26309. Flour. (F.D.C. No. 44047. S. No. 75-672 P.)

QUANTITY: 162 25-lb. bags at Fort Smith, Ark., in possession of Griffin Grocery Co.

SHIPPED: 11-24-59, from Winfield, Kans.

LIBELED: 1-28-60, W. Dist. Ark.

CHARGE: 402(a)(3)—contained rodent urine; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 3-9-60. Default—delivered to a charitable institution for use as animal feed.

26310. Flour. (F.D.C. No. 44206. S. No. 96-917 P.)

QUANTITY: 1,092 bales, 5 10-lb. bags each, at Jersey City, N.J.

SHIPPED: On or about 1-5-60, from Lemoyne, Pa.

LIBELED: 1-27-60, Dist. N.J.

CHARGE: 402(a)(3)—contained rodent urine while held for sale.

DISPOSITION: 2-9-60. Consent—claimed by Pennsylvania Railroad Co., New York, N.Y. Segregated; 395 bales denatured.

26311. Enriched flour. (F.D.C. No. 43676. S. No. 40-239 P.)

INFORMATION FILED: 11-4-59, Dist. Utah, against Central Milling Co., Inc., Logan, Utah.

SHIPPED: 11-10-58, from Utah to California.

LABEL IN PART: (Bag) "5 lbs. Net Bleached-Enriched * * * Market Brand Flour Packed for Standard Wholesale Grocery Co. Oakland, California."

CHARGE: 403(a)—the label statements "8 Ozs. of Enriched Flour Supply Not Less Than the Following Proportions of the Minimum Daily Requirements of: Thiamine, 100%; Riboflavin, 50%; Niacin, 80%; and Iron, 65%. Thiamine, Riboflavin and Niacin are B Vitamins" were false and misleading since 8 ounces of the article contained less than the above stated proportions of the minimum daily requirement for thiamin, riboflavin, niacin, and iron; and 403(g)(1)—the article failed to conform to the definition and standard of identity for enriched flour since it contained per pound less than 2.0 milli-

grams of thiamin, less than 1.2 milligrams of riboflavin, less than 16.0 milligrams of niacin, and less than 13.0 milligrams of iron.

PLEA: Guilty.

DISPOSITION: 12-7-59. \$600 fine.

MACARONI AND NOODLE PRODUCTS

26312. Elbow macaroni. (F.D.C. No. 44245. S. No. 90-335 P.)

QUANTITY: 71 20-lb. boxes at Pownal, Maine.

SHIPPED: 10-26-59, from Fall River, Mass., by Luso-American Macaroni Mfg. Co., Inc.

LABEL IN PART: "Elbow, Mac. * * * No. 1 Semolina."

LIBELED: 2-15-60, Dist. Maine.

CHARGE: 402(a) (3)—contained insect larvae when shipped.

DISPOSITION: 3-14-60. Default—delivered to a public institution for use as animal feed.

26313. Egg noodles and cake mixes. (F.D.C. No. 44196. S. Nos. 3-759/61 P, 3-767/70 P.)

QUANTITY: 21 cases, 4 doz. 8-oz. pkgs. each, and 5 cases, 24 1-lb. boxes each, of egg noodles; and 5 cases, 12 10½-oz. pkgs. each, 8 cases, 12 18-oz. pkgs. each, and 5 cases, 12 10-oz. pkgs. each, of cake mixes, at Baltimore, Md.

SHIPPED: 11-6-59, from Long Island City, N.Y., and Minneapolis, Minn.

LIBELED: 1-21-60, Dist. Md.

CHARGE: 402(a) (3)—contained insects while held for sale.

DISPOSITION: 3-11-60. Default—destruction.

26314. Canned spaghetti in tomato sauce. (F.D.C. No. 43986. S. Nos. 49-075 P, 61-995 P.)

QUANTITY: 49 cases, 24 1-lb. 8-oz. cans each, and 14 cases, 36 19½-oz. cans each, at Honolulu, Hawaii.

SHIPPED: 10-19-59, from Sacramento, Calif., by Campbell Soup Co.

LABEL IN PART: (Can) "Franco-American Spaghetti in Tomato Sauce with Cheese * * * Made by Campbell Soup Company * * * Camden, N.J."

LIBELED: 12-10-59, Dist. Hawaii.

CHARGE: 402(a) (3)—contained insects and insect parts; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 1-6-60. Default—delivered to a public institution for use as animal feed.

MISCELLANEOUS CEREALS*

26315. Rice. (F.D.C. No. 44140. S. No. 90-636 P.)

QUANTITY: 24 25-lb. bags at Hartford, Conn.

SHIPPED: 5-12-58 and 3-9-59, from Edgewater, N.J.

LIBELED: 12-29-59, Dist. Conn.

CHARGE: 402(a) (3)—contained insects and rodent urine while held for sale.

DISPOSITION: 3-23-60. Default—destruction.

*See also No. 26313.